

**MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
REGIONAL COUNCIL MEETING**

May 27, 1998
MAG Office
302 North 1st Avenue, Suite 200
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Elaine Scruggs, Glendale, Chairman	Mayor Wayne Brown, Mesa
Councilmember Al Carroll for Mayor Tom	Councilmember Sara Moya, Paradise Valley
Morales, Avondale	*Mayor John Keegan, Peoria
Mayor Mike Baker, Buckeye	Mayor Skip Rimsza, Phoenix
Mayor Hugh Stevens, Carefree	Mayor Mark Schnepf, Queen Creek
*Mayor Tom Augherston, Cave Creek	*President Ivan Makil, Salt River Pima-
Mayor Jay Tibshraeny, Chandler	Maricopa Indian Community
*Mayor Maggie Reese, El Mirage	Vice Mayor Dennis Robbins for Mayor Sam
*Mayor Jerold Miles, Fountain Hills	Campana, Scottsdale
*Mayor Chuck Turner, Gila Bend	Mayor Joan Shafer, Surprise
*Governor Mary Thomas, Gila River Indian	Mayor Neil Giuliano, Tempe
Community	Vice Mayor Melinda Diaz for Mayor Adolfo
Mayor Cynthia Dunham, Gilbert	Gamez, Tolleson
Mayor Bill Arnold, Goodyear	*Mayor Dallas Gant, Wickenburg
Mayor Frances Osuna, Guadalupe	Mayor William Kosanovich, Youngtown
Mayor Richard Vasiloff, Litchfield Park	*F. Rockne Arnett, ADOT
Supervisor Jan Brewer, Maricopa County	Chuck Coughlin, Citizens Transportation
	Oversight Committee

*Those members neither present nor represented by proxy.

1. Call to Order

The meeting of the Regional Council was called to order by Chairman Elaine Scruggs at 5:10 p.m.

Chairman Scruggs introduced the proxies for tonight's meeting: Councilmember Al Collins for Mayor Thomas Morales from the City of Avondale, Vice Mayor Melinda Diaz for Mayor Adolfo Gamez from the City of Tolleson, and Vice Mayor Dennis Robbins for Mayor Sam Campana from the City of Scottsdale.

Chairman Scruggs announced that parking validation is available for the Norwest Bank garage only following the meeting from the MAG staff. Chairman Scruggs announced that RPTA has generously agreed to provide transit tickets for individuals who use the bus to get to the Regional Council meeting. She stated that tickets are available following the meeting from Ken Driggs of RPTA.

2. Pledge of Allegiance
3. Approval of April 29, 1998 Meeting Minutes

Mayor Mike Baker moved, Mayor Richard Vasiloff seconded, and it was unanimously carried to approve the April 29, 1998 meeting minutes.

4. Call to the Audience

Chairman Scruggs noted that according to our public comment process, members of the audience who wish to speak are requested to fill out the cards which are available on the tables adjacent to the doorways inside the meeting room. These cards are given to the staff who will bring it to the chair.

As in the past, we have a three minute time limit. When two minutes have elapsed, the yellow light will come on notifying the speaker that they have one minute to sum up. At the end of the three minute time period, the red light will come on.

Public comment is provided at the beginning of the meeting for non-agenda items. Also, public comment will be provided at the beginning of the meeting for consent items. After hearing public comments, any member of the committee can request that an item be removed from the consent agenda and considered individually.

For the action items on the agenda, public comment will be taken when the item is heard. Public comments are limited to three minutes.

Chairman Scruggs recognized public comment from Dianne Barker who stated that if there has ever been a beneficial dictator, her request is to everyone for an answer to the following question: "Does MAG only believe that it knows what is best for itself or does it consider what is the best for all of us?" Chairman Scruggs thanked Ms. Barker for her comment.

Chairman Scruggs recognized public comment from Blue Crowley. Mr. Crowley stated that he had received an invitation to the Vision 2025 Citizens' Summit. The invitation instructed him to fill out the attached mailer, which was not included. He said that it is important for people to attend; therefore, the invitation should be sent out correctly. He stated that upcoming rate hike meetings are being held in Phoenix and Scottsdale on June 3rd, but found notifications were found on only five buses. According to federal law, notifications should be posted on buses two weeks to one month prior to public hearings.

5. Showcased Agency Introduction

Chairman Scruggs introduced Councilmember Sara Moya of the Town of Paradise Valley. Mayor Scruggs informed the Council that this is Councilmember Moya's last Regional Council meeting after serving for ten years. Councilmember Moya expressed her thanks to all residents of Maricopa County, the MAG staff for an excellent job, to James Bourey, who is carrying on a fine tradition of a job well done, and to Will Brown and Mayor Scruggs. She stated that all of the Mayors are an important part of the equation to accomplish work that needs to be done.

Councilmember Moya presented an 11-minute video illustrating the quality of life in the Town of Paradise Valley. From its incorporation in 1975 to present day, the Town is a residential community with limited business development. Paradise Valley relies on many volunteers in government and services provided by private companies in order to limit expenditure. The Town has a low crime rate, with 33 full police. Paradise Valley was the first with photo radar and has a central alarm system to provide crime prevention service to its residents. Zoning requires minimums of 2,000 square feet homes on one-acre lots, with special regulations toward hillside development. Paradise Valley is extremely concerned about the environment and quality of life and is working hard to improve it for the future in the areas of flood control, traffic flow and safety, and underground utility conversion.

Councilmember Moya introduced five new councilmembers seated in the audience for the Town of Paradise Valley, Mr. Ed Lowry, Mr. Richard Gordon, Mr. Bob Williams, Ms. Jini Simpson, and Mr. Bernie Barry, and also introduced the Town Manager, Mr. Tom Martinsen,

Chairman Scruggs thanked Councilmember Moya for her presentation and her years of service to the community.

6. Executive Director's Report

James M. Bourey updated the Regional Council on ISTEA Reauthorization. The new reauthorization bodes well for transportation. \$215 billion in funding has been authorized over the next six years. During the years 1992 to 1997, \$256 million was the average annual funding for Arizona with \$408 million to be the average funding under the new legislation. This accounts for a 60 percent increase in highway funding to Arizona over the next six years. Mr. Bourey will keep members updated as details on funding emerge. Mr. Bourey stated that it appears that there is expanded eligibility for federal funding for Congestion Mitigation Air Quality (CMAQ). In addition, a portion of the increased funding for CMAQ can be "flexed" to other programs. We believe this will require Regional Council approval. Finally, MAG has received a letter from the Federal Highway Administration on congestion pricing. Arizona lost out on the fifth state pilot program to Virginia, but it has been announced that the program will be expanded to fifteen projects.

Mr. Bourey reminded the Regional Council that the Annual Meeting and Desert Peaks Awards and dinner will be held on June 24, 1998 at the Hyatt Regency. Invitations have been sent out to 1,500 recipients. Sixty nominations for awards have been received. Regional Council members attend the dinner free of charge, with a subsidized rate for others attending. Mr. Bourey encouraged Regional Council members and councilmembers to attend.

Mr. Bourey updated the Regional Council on the Vision 2025 process. Mr. Bourey stated that the Vision 2025 Citizens' Summit is scheduled for June 6 at the Orpheum Theatre. This is a noteworthy effort to provide input to the Vision 2025 Committee. A Future Preference Survey will be taken by citizens using electronic keypads. The invitations went out to the public the week prior to the Regional Council meeting. Due to time frame constraints, no self addressed mailer was included. However, three telephone RSVP lines have been set up, with many replies already received.

Mr. Bourey mentioned that staff did a survey on the Regional Council Activity Report. They found that it has been read by many people, but needs to be kept in a concise form.

Mr. Bourey reported to the Regional Council that state legislation supporting the Regional Transportation Authority did not pass.

Mr. Bourey stated that MAG is ready for action on the potential acceleration of completing the connection with I-10 and Pecos Road and will cooperate with the City of Phoenix. Mayor Rimsza asked about the acceleration approval structure. Mr. Bourey stated that a jurisdiction that wants to accelerate construction would be responsible for fronting the costs and interest. Mayor Tibshraeny inquired if the existing alignment would be used. Mayor Rimsza replied that it would and the City of Phoenix would cooperate on the effort.

Mr. Bourey stated that effective May 1, 1998, public law 105-174, which prohibits the imposition of the 1991 Carbon Monoxide Federal Implementation Plan (FIP) in Arizona, was passed. This includes the FIP contingency process which called for a ten-month highway delay for carbon monoxide violations after December 1991. Chuck Coughlin commented that Congressman Jim Colby in Tucson was instrumental in accelerating alleviation of this serious problem.

Chairman Scruggs thanked Mr. Bourey for his report.

Chairman Scruggs spoke in recognition of departing members of the Regional Council. She stated that many sacrifices are made by members to attend the MAG Regional Council meeting at the end of a long day, and commended those who make these efforts in the best interests of the residents of Maricopa County. She introduced four Regional Council members and asked them to come forward to receive a gift recognizing their contributions.

Chairman Scruggs stated that in June 1996, Mayor Jerold Miles from Fountain Hills, unable to attend the Regional Council meeting tonight, joined the Regional Council and was an active member of the Council and interested in open space management

Chairman Scruggs stated that in June 1996, Mayor Mike Baker from Buckeye joined the Regional Council and was a proponent for transportation solutions in his area and was a voice for agricultural interests when we considered our air quality measures. Mayor Baker expressed thanks to the public and staff members.

Chairman Scruggs stated that in June 1992, Mayor Richard Vasiloff from Litchfield Park joined the Regional Council, was an active member of the Council, and was instrumental in MAG developing a listing of low-cost transportation projects which were implemented by ADOT. He also chaired the goal setting committee that was established in the MAG transition process. He was an advocate for West Valley interests. Mayor Vasiloff thanked Chairman Scruggs for a good job and mentioned much work needs to be accomplished. He introduced the newly elected mayor, Mr. Colin Barleycorn.

Chairman Scruggs stated in April 1988, Councilmember Moya from Paradise Valley joined the Regional Council and set a standard for regional public service. She chaired the Regional Development Policy Committee and the Homeless Committee and has served on the Youth Policy Advisory Committee. During the MAG transition period, she served on the committee that recommended the new MAG Director. Councilmember Moya expressed her thanks and wished everyone good luck.

7. Approval of Consent Agenda

Chairman Scruggs stated that agenda items number 8, 9, 10, and 11 are listed on the consent agenda. She asked if any member wished to remove any consent item. No member responded.

Mayor Arnold moved, Mayor Rimsza seconded, and it was unanimously carried to approve consent agenda items 8, 9, 10, and 11.

8. Red Letter Notifications

In June 1996, the Regional Council approved the revised Arizona Department of Transportation (ADOT) Red Letter Process. This process requires MAG member agencies to notify ADOT of potential development activities in freeway alignments, including actions on plans, zoning and permits. The purpose of this process is to coordinate actions to help prevent new development from being built in the future freeway right-of-way. ADOT has forwarded notifications received through March 1998 that were reviewed by the Management Committee on May 13, 1998.

The modified Red Letter process separates Red Letter notifications and advance acquisition requests. The modified process calls for Red Letter notifications (received by MAG from ADOT every few months) to normally be placed on the consent agenda of the Transportation Review Committee, the Management Committee and the Regional Council for information and discussion only. Upon request they could be removed from the consent agenda and returned for action. For advance acquisition requests, the process was modified to allow ADOT to proceed with advance right-of-way acquisitions up to \$5 million in the funded corridors. For advance acquisition requests, \$5 million has been allocated by the Regional Council. ADOT has forwarded 11 notifications that have been reviewed by the Transportation Review Committee.

9. MAG Regional Plan on Domestic Violence

The Regional Council approved, by consent, to approve development of the MAG Regional Plan on Domestic Violence. In April 1998, a tragic death occurred due to the lack of emergency bed space for domestic violence victims. As a result of this tragic situation, the City of Phoenix Education, Family, Youth and Culture Subcommittee, via Councilmember Cody Williams, requested that MAG address the domestic violence issue on a regional basis. On April 16, 1998, a special meeting of the MAG Human Services Coordinating Committee (HSCC) was convened around the issue of domestic violence. After presentations by directors of the region's domestic violence shelters and advocacy organizations, the HSCC members supported the need to identify regional strategies for this public safety problem. MAG would convene interested and affected individuals and organizations to develop a comprehensive regional strategy. Plan development would be provided by the MAG Human Services staff. Policy would be recommended by the HSCC. The Management Committee recommended that a regional plan on domestic violence be developed.

10. Retention Area Policies and Design Guidelines Project Consultant Recommendation

The Regional Council approved, by consent, to approve the e group to conduct the Retention Area Policies and Design Guidelines Project for an amount not to exceed \$70,000 and to authorize the MAG Executive Director to execute the contract. The FY 1998 MAG Unified Planning Work Program included a consultant project to develop model guidelines for open space areas to assist in the preservation of the essential natural characteristics and contribute to their function in defining the urban form of the region. In consultation with the MAG Desert Spaces Plan Implementation Task Force, a Request for Proposals was developed and advertised. Two proposals were received. A Design Guidelines Subcommittee

interviewed both consultants and recommended the consulting firm e group for the project. On April 15, 1998, the Desert Space Implementation Task Force concurred with the Subcommittee recommendation. On May 13, 1998, the Management Committee unanimously supported the Task Force recommendation.

11. Reconstitution of MAG Solid Waste Committees

The Regional Council approved, by consent, to reconstitute the MAG solid waste committee process to have a broad-based MAG Solid Waste Advisory Committee. In 1988, the MAG Regional Council established a Solid Waste Coordinating Committee and a Solid Waste Technical Advisory Committee to prepare the first Regional Solid Waste Management Plan. With the Plan completed, the work of these committees will focus primarily on plan reviews, plan amendments, updating the waste database and the new Regional Recycling Information Exchange project. Staff is recommending that the committee process be reconstituted to have one broad-based committee. The membership of this committee would be in accordance with federal regulations to include a balance of public officials; representatives of public interest groups; private citizens; and citizens or representatives of organizations with substantial economic interest in the outcome of the planning process. This approach would also be consistent with the direction provided by the Regional Council at the January 23, 1998 retreat regarding the streamlining of the existing committee process. On May 13, 1998, the Management Committee unanimously recommended approval of reconstituting the MAG solid waste committee process to have a broad-based MAG Solid Waste Advisory Committee.

12. Material Change Policy for the MAG Regional Freeway Program

Eric Anderson remarked that state law requires that MAG approve any material cost increases to the MAG Freeway Program. Historically, these changes have been reviewed by the Management Committee and Regional Council. The 1997 Performance Audit for the MAG Freeway Program recommended that MAG and the Arizona Department of Transportation develop a definition of “material change.” An ad hoc group with representatives from ADOT, MAG and city representatives met to discuss the issue and develop a definition for “material change.” Also discussed was what constitutes an enhancement as referred to in State law. A draft material change policy has been developed and recommended for approval by the Transportation Review Committee and the Management Committee.

Mayor Giuliano asked if the material change policy was on the CTOC agenda. Mr. Anderson replied that it was presented on the CTOC agenda, but due to time constraints was skipped over. Chuck Coughlin stated that CTOC would review material changes whether the changes meet the criteria or not. Referring to Item A, he stated it is a routine practice for CTOC to review any change. Mr. Bourey stated that CTOC was not included in the language since this policy applies only to MAG.

Mayor Rimsza asked Mary Peters, Director of ADOT, if ADOT would provide the changes to CTOC as well as to MAG. Ms. Peters answered that ADOT will continue to provide the changes to CTOC.

Mr. Coughlin moved to amend the policy that MAG and the Arizona Department of Transportation developed to include “and CTOC” to the language. There was no second for the motion.

Chairman Scruggs recognized public comment from Blue Crowley, who stated that public involvement is an important part of the process. Multi-modal and HOV lanes on I-17 are not addressed. Expansion of canal and bike lanes are needed regionally. Bike lanes should pass under I-17. He stated he was at the CTOC meeting, and it still was not decided where the alignment is going to be on the Agua Fria. Consideration should be given to John F. Long after all he has done for the community.

Mayor Giuliano moved, Councilmember Moya seconded, and it was unanimously carried to approve the material change policy for the MAG Freeway Program.

13. Grand Avenue Corridor Study Draft Final Report

Ken Martin stated that in May 1996, the Regional Council approved the Unified Planning Work Program, which included a consultant study for a Grand Avenue Concept Study. The purpose of the Study was to develop a system level consensus and design concept for the Grand Avenue Corridor. Options were examined and three concepts were recommended for additional study. To be eligible for federal funds to address these options, a Major Investment Study (MIS) is needed. The final draft of the Grand Avenue Corridor Study is recommending that a MIS and environmental study be undertaken. Funding for the study is part of the Arizona Department of Transportation Five Year Highway Program. On March 24, 1998, the Transportation Review Committee recommended approval of the Study. The Management Committee concurred with this recommendation.

Mr. Martin stated that the final report is available. Funding will become available July 1, 1998. Mayor Joan Shafer asked about the boundary limit of the study. Mr. Martin explained that the study would extend to Beardsley Canal. Mayor Shafer expressed concern about the aesthetics of Grand Avenue. As a gateway to the community, many times the corridor is lined with weeds and ditches are filled with trash.

Councilmember Moya asked for cost estimates of the various alternatives. Mr. Martin responded that costs for the three options range from \$250 million to \$500 million. He explained the differences in estimates. The low-range option involves minimal work to Grand Avenue of an alternating grade separation at six-legged intersections. The mid-range option requires more work on Grand Avenue and eliminates some traffic signals. The high-range option eliminates the majority of traffic signals from 101 to I-17 and transforms Grand Avenue into an expressway.

Mayor Kosanovich asked if a timetable had been determined. Mr. Martin stated that would be determined after the MIS lays the groundwork for federal funding eligibility. The Camelback and Thomas interchanges have funding available.

Chairman Scruggs asked if there were any additional questions for Mr. Martin before a call to the audience for comment.

Blue Crowley expressed his need for clarification from the staff. He has not seen the Grand Avenue Corridor Study Draft Final Report and cannot receive one unless he pays ten cents per page. He noted a rail study is not in the document. He appreciates City of Glendale's efforts on Grand Avenue improvements.

Chairman Scruggs thanked Mr. Crowley for his comments.

Mayor Giuliano moved, Mayor Rimsza seconded, and it was unanimously carried to accept the Grand Avenue Concept Study and approve conducting a Major Investment Study and environmental study on the Grand Avenue Corridor.

14. Draft FY 1999 MAG Unified Planning Work Program and Annual Budget

Mr. Bourey stated that the Unified Planning Work Program (UPWP) and Annual Budget were revised and consolidated into one document. The UPWP represents months of work and has been totally revamped

with built-in performance measures and is more user friendly. The format was changed to provide more concise information to the member agencies and public and to establish outcome measures for MAG programs. The Draft FY 1999 UPWP was sent to the transportation and air quality agencies as part of the conformity consultation process. A presentation of the draft UPWP and budget was made to the Executive Committee on April 9, 1998. On April 24, 1998, the UPWP was distributed and discussed at the Management Committee Retreat. On May 13, 1998, the Management Committee unanimously recommended approval of the resolution adopting the FY 1999 MAG UPWP and Annual Budget and dues and assessments.

Art Rullo stated that copies of the UPWP are available in the MAG library on the third floor. He outlined the new format that consolidates the UPWP and Annual Budget into one document. The document includes a program description, a mission statement, 1997 to 1998 accomplishments, FY 1999 objectives, activity description, outcome measures, multi-year comparisons of revenues and expenditures, FTEs by Task, a glossary of financial terms, and feedback from federal and state agencies. Mr. Rullo stated that the proposed FY 1999 budget of \$5,457,066 is balanced and represents a 4.65 percent increase over the previous year. Main sources of revenue are 57.7 percent from federal funding, 28.3 percent federal carryforward funding, 6.4 percent local funding, and 4.3 percent state funding. Main fund uses by program are 40.8 percent to Transportation programs, 26.2 percent to Environmental programs, 12 percent to Regional Development programs, and 8 percent to Information and Technology programs. Personnel costs of 52.7 percent and consultant fees of 19.5 percent are the largest expenditures. Additionally, ADEQ has granted new funding of \$18,000.

Chairman Scruggs asked if there were any questions or comments. Mayor Giuliano thanked the staff for a great job and presentation. Tying the UPWP and budget together into one document was very smart. Chairman Scruggs thanked Mr. Bourey and Mr. Rullo and stated that it is encouraging to receive positive feedback.

Chairman Scruggs recognized public comment from Blue Crowley who stated he had been a longtime participant in the 25th Avenue and Dunlap briefing. He stated he had not been able to review the UPWP document unless he wanted to study it in the MAG library for eight hours a day or purchase his own document at ten cents per page. He feels he should not have to pay for copies since his tax money has already paid for the document. He received and reviewed a copy the night prior to the Regional Council and stated that you can't cut costs with bonuses and raises.

Dianne Barker spoke from the audience suggesting that more informal exchanges be held in the future.

Chairman Scruggs stated that a four percent increase after all the increased production is a credit to the staff.

Councilmember Moya moved, Mayor Rimsza seconded, and it was unanimously carried to approve the resolution adopting the FY 1999 MAG UPWP and Annual Budget dues and assessments.

15. Support of the Concept of Establishing the Maricopa Association of Governments Information Center (MAGIC) as a Subsidiary of MAG

Mr. Bourey stated that MAGIC will fulfill many purposes and provide better service to the community. Members will not pay extra for current services. Mr. Bourey introduced Rita Walton for a presentation on MAGIC.

Rita Walton stated that MAG has been producing a wealth of information for many years. This data is central to its various regional planning activities.

At the January Regional Council retreat, and at the April Management Committee retreat, the concept of establishing a subsidiary of MAG for the development and distribution of data was discussed. This concept is similar to Sourcepoint, operated by the San Diego Association of Governments. Through this subsidiary, called the Maricopa Association of Governments Information Center (MAGIC), specialized information and services to member agencies, private sector businesses and individuals and other public sector agencies would be provided. MAGIC would contract with staff from the Maricopa Association of Governments to perform specific tasks, and any revenues derived from activities performed would be reinvested into both MAGIC and the Maricopa Association of Governments. Benefits of MAGIC would include additional fee-earning activities outside work program commitments, increased visibility of MAG to the public, enhancement of internal activities by utilization of fees earned and improved information and products. Anticipated funding will be provided through data, mapping, modeling, and general services products. Funding for FY 1999 is expected to contribute \$67,500 to MAGIC and MAG activities. The resources and activities associated with MAGIC would be administered by the Executive Director of the Maricopa Association of Governments. The governing board of the enterprise would be the Regional Council Executive Committee. There would also be an advisory board to consist of information technology staff, customers of MAGIC services, and representatives of the Management Committee. If the concept to form MAGIC is approved, the Articles of Incorporation will be presented in June for approval. The Management Committee recommended supporting the concept of establishing MAGIC as a subsidiary of MAG. On May 14, 1998, the Executive Committee endorsed the concept of establishing MAGIC.

Mayor Wayne Brown moved, Mayor Bill Arnold seconded.

Before a vote was taken, Supervisor Jan Brewer asked why MAGIC would be set up as a separate entity. Mr. Bourey stated that a separate entity would be the appropriate way to account for funding. It would become a vehicle for a separate marketing effort. Mr. Bourey observed that Sourcepoint has operated successfully for many years. Establishing MAGIC as a separate entity would also ensure that it would be self supporting. Mr. Bourey stated that MAGIC should break even the first year, with no extra federal or local funding. Supervisor Brewer asked if the start up money would come from MAG or other sources? Mayor Giuliano stated that existing staff would perform work already covered by the budget. As a cost center, they would identify their time. Mr. Bourey noted that we have a balanced budget and will not spend money on work not funded.

Mayor Schnepf expressed support of the concept, but also concern with the perception of competition with the private sector. Councilmember Moya asked if the customer base would be MAG members only. Mr. Bourey stated that MAG could provide services to private parties also.

Chairman Scruggs called for a vote, and it was unanimously carried to approve the concept of establishing the Maricopa Association of Governments Information Center (MAGIC) as a subsidiary of MAG.

Chairman Scruggs announced that a progressive dinner would be held in Suite 300 for members of the Regional Council and their staff who confirmed their dinner reservations. A floor plan was provided describing the different food stations that have been set up.

There being no further business, the meeting was adjourned at 6:30 p.m.

Chairman

Secretary